



City of Smyrna

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Issue Sheet

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In Control: City Council

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Agenda Number: A.

WARD: 6, Mayor Pro Tem Tim Gould

COMMITTEE: Community Development

\$ IMPACT: N/A

Agenda Title:

Public Hearing - Zoning Request - Z19-018 - Rezoning from R-20 to R-15 (or similar single-family zoning district) for the development of two single family homes at a density of 2.22 units/acre - 0.90 Acres - Land Lot 557 - 1460 Memory Lane - Reggie Lopes.

ISSUE: Reggie Lopes is seeking approval of a rezoning for 1460 Memory Lane from R-20 to R-15 for the development of two single-family detached residences at a density of 2.22 units per acre. The applicant is proposing to demolish the existing single-family home and then subdivide the parcel into two lots and construct two individual single-family residences. The proposed lots will be 19,463 sq. ft. and 19,594 sq. ft. (or 18,018 sq. ft. and 19,094 sq. ft. after the 5' right-of-way dedication along Memory Lane & Northview Place). Lot 1 will have a side entry garage accessed from Northview Place, and Lot 2 will have a front entry garage accessed from Memory Lane. The applicant has submitted building elevations and floor plans for each home in the rezoning application. The applicant proposes to use brick, stone, and siding for the façade materials for each home. During the Planning and Zoning Board meeting on December 9, 2019, several members of the community had concerns that rezoning to the subject property to R-15 would set a negative precedent and allow other lots in the area to be rezoned to R-15 allowing additional density in the neighborhood. After hearing those concerns, the Planning and Zoning Board recommended to deny the request by a vote of 7-0. Therefore, staff recommends modifying the requested zoning category from R-15 to R-20-Conditional with variances for the lot sizes to maintain the R-20 zoning designation in the immediate neighborhood. If the R-20-Conditional zoning is approved a variance is needed to lower the minimum lot size to 19,463 sq. ft.. Community Development is supportive of modifying the zoning request to R-20-Conditional with a variance for lot size. The Future Land Use will remain LDR - Low Density Residential.

BACKGROUND: The Planning and Zoning Board recommended to deny the zoning change from R-20 to R-15 by a vote of 7-0 at the December 9, 2019 meeting.

RECOMMENDATION/REQUESTED ACTION: The applicant originally requested rezoning from R-20 to R-15 for the for development of two new single-family homes. The surrounding residents opposed the zoning request at the Planning and Zoning Board stating the proposed zoning to R-15 would establish a negative precedent allowing additional density in their community, which is zoned R-20. Community

Development is supportive of the proposed zoning, but is recommending a modification to the requested zoning district from R-15 to R-20-Conditional to address the residents concerns with respect to establishing a precedent for the R-15 zoning district. Staff feels comfortable that this will not create a future precedent due to this property previously being two recorded lots of record and tying the zoning of the property to the specific site plan. Therefore, Community Development recommends **approval** of the rezoning from **R-20 to R-20-Conditional** for the development of two single-family units at a density of 2.22 units per acre with the **following conditions**:

Standard Conditions

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. All utilities within the development shall be underground.
3. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review.
4. No debris may be buried on any lot or common area.
5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
8. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

Special Conditions

9. The development shall maintain the following setbacks:
Front - 35'
Interior Side - 12'
Exterior Side - 23'
Rear - 35'
10. Driveway - 22' minimum length from building face to private driveway.

11. The right-of-way along Northview Place and Memory Lane shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along both right-of-ways.
12. The developer shall install a 5' sidewalk with 2' grass strip along Northview Place and Memory Lane.
13. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
14. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.
15. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
16. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
17. Approval is conditioned upon substantial compliance with the site plan submitted on November 19, 2019, prepared by Pristine Land Services and all zoning stipulations above.
18. Minimum lot size shall be a minimum of 19,463 sq. ft. (or 18,018 sq. ft. after the required right-of-way dedication).